

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

JAMES W. BROWN (a/k/a Jaime Brown),)
Plaintiff,)
)
v.) Case No. 1:25-cv-583 (PTG/WBP)
)
DONALD J. TRUMP, et al.,)
Defendants.)

ORDER

Acting *pro se*, FCC Petersburg inmate James W. Brown (a/k/a Jaime Brown) (“Plaintiff”) filed a Complaint challenging the legality of Executive Order No. 14168 (“Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government”), signed by President Donald J. Trump on January 20, 2025. Dkt. 1. Plaintiff did not pay the \$405 due in case initiation fees (\$55 administrative fee and \$350 filing fee) but instead moved for permission to proceed *in forma pauperis* (“IFP”). Dkt. 2.

Prisoners who are permitted to proceed IFP are still required to “pay the full amount of a filing fee” in installments. 28 U.S.C. § 1915(b)(1). If the Court grants IFP status, the \$55 administrative fee will be waived, and the Court will assess an initial partial filing fee amounting to 20% of the greater of (a) the average monthly deposits to plaintiff’s inmate account, or (b) the average monthly balance in plaintiff’s inmate account, based on the account balances in the preceding 6-month period. *Id.* From that point on, Plaintiff will be required to make monthly payments of 20% of the preceding month’s income, so long as the income exceeds \$10. *Id.* § 1915(b)(2). This monthly payment will continue until the full \$350 filing fee has been paid, even after this civil action is resolved or dismissed. *Id.* § 1915(b)(1). A civil action filed by Plaintiff in 2022 was dismissed when he failed to sign and return a Consent to Collection of Fees

from Inmate Trust Account. *See Brown v. Leu*, No. 1:22-cv-633 (RDA/JFA) (E.D. Va. dismissed Jan. 18, 2023).

If Plaintiff does not wish to become liable to pay the \$350 filing fee for this civil action, he should file a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A) within twenty-eight (28) days of the entry date of this Order. Alternatively, if Plaintiff wishes to pursue this civil action, he must sign and return the attached Consent to Collection of Fees from Inmate Trust Account form (“Consent Form”) within twenty-eight (28) days of the entry date of this Order. To confirm that Plaintiff is indigent, the Court will also request an Inmate Account Report Form from his institution of confinement. The Court will act on the motions and requests incorporated in the Complaint after Plaintiff has responded to this Order. Accordingly, it is hereby

ORDERED that, if Plaintiff does not wish to become liable to pay the filing fee, he must file a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A) within twenty-eight (28) days of the entry date of this Order; and it is further

ORDERED that, if Plaintiff wishes to pursue his Complaint further, he must sign and return the Consent Form within twenty-eight (28) days of the entry date of this Order; and it is further

ORDERED that the Clerk request that Plaintiff’s institution of confinement complete and return an Inmate Account Report Form detailing the contents of his inmate trust account within twenty-eight (28) days of the entry date of this Order; and it is further

ORDERED that Plaintiff’s failure to comply fully with any part of this Order or to notify this Court immediately upon being transferred, released, or otherwise relocated will result in the dismissal of this civil action pursuant to Federal Rule of Civil Procedure 41(b).

The Clerk is directed to send a copy of this Order and a Consent Form to plaintiff James W. Brown (a/k/a Jaime Brown), *pro se*, and to send a copy of this Order and the Inmate Account Report Form to his institution of confinement.

Entered this 11th day of April, 2025.
Alexandria, Virginia



Patricia Tolliver Giles
United States District Judge